IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Bail Appl..No. 4824 of 2007()

CMP.4546/2007 of MUN-MAGI COURT, PARAVOOR
C.R.NO.303/2007 OF PARAVUR POLICE STATION,
KOLLAM DISTRICT

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PETITIONER/2ND ACCUSED

AJESH, S/O. ASOKAN,
CHARIPURATHU VEEDU, CHARIPPURAM,
POOTHAKULAM CHERRI, POOTHAKULAM VILLAGE.

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENTS: COMPLAINANTS

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1. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
PARAVUR POLICE STATION, KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4824 of 2007

Dated this the 13th day of August 2007

O R D E R

Application for regular bail. The petitioner is the second accused. Altogether there are two accused persons. The alleged incident took place on 06/07/2007. The crux of the allegations raised by the prosecution is that the accused persons A1 and A2 had picked up a quarrel with the deceased earlier on that day. On account of that animosity, both of them allegedly went to the house of the victim, armed with dangerous weapons. The deceased was residing alone in the house on the relevant date. He was allegedly subjected to a brutal attack with dangerous sticks by accused 1 and 2. The deceased allegedly succumbed to the injury on the same night. The petitioner was arrested on 9/7/2007. He continues in custody from 09/07/2007. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He is a boy aged about 18 years. He had completed the age of 18 years shortly prior to the date of occurrence. He does not have any specific motive against the

deceased. There is no eye witness to the occurrence. At any rate, the petitioner aged about 18 years who has been in custody from 9/7/2007 may now be enlarged on bail, submits the learned counsel for the petitioner.

2. Application is opposed by the learned Public Prosecutor. I find merit in the opposition by the learned Public Prosecutor. Investigation is not complete. I have gone through the case diary. The available indications do point to the complicity of the petitioner. I agree with the learned Public Prosecutor that it is too early to consider the release of the petitioner on bail.

3. In the result, this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this court or the Sessions court for bail again at later stages of the investigation not, at any rate, prior to 24/08/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007